IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

Geeg Raj **Versus** Prahlad Ram & Ors.

S.B. CIVIL REVISION PETITION NO.47/06

DATE OF ORDER : 14/09/2006

Hon'ble Shri Justice Ajay Rastogi

Shri A.L. Verma, for petitioner

BY THE COURT:

Instant revision petition has been filed by the petitioner against the order dated 24th January, 2005 whereby his application under O.39 R.2A was rejected by the learned trial Judge and the appeal preferred against the said order was also rejected by the learned First Appellate Court vide order dated 20th January, 2006 holding that no case for deliberate disobedience of the order of injunction is made out.

Counsel for petitioner submits that the finding, which has been recorded by the First Appellate Court holding that no case for deliberate disobedience is made out, is not sustainable and serious material irregularity has been committed.

I have gone through the orders impugned.

Both the courts recorded a finding that order of injunction maintaining status quo has not been flouted by the respondents and the action cannot be said to be deliberate disobedience. Consequently, the application filed by the petitioner of maintaining status quo has been rejected.

I do not find any error of material irregularity committed by the learned trial Judge and so also the First Appellate Court in passing the order impugned.

Consequently, the revision petition fails and is hereby dismissed.

[Ajay Rastogi],J.

FRBOHRA,JR.P.A.